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To: ATR-Real Estate Workshop
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Consumer Choice for Home Sellers:
Will the Real Estate Industry Legislate My Business Model Out of Existence?

I am worried about what will happen to consumer choice for home sellers if they do not take notice or speak out against the minimum service standard laws being passed in states under the guise of consumer protection.

Over a decade ago I helped in the fight for the rights of home buyers to have an advocate in their transactions. I now find myself in a fight for home sellers to buy less services from a real estate brokerage when they do not have the need for advocacy and full-service traditional brokerage.

If the real estate industry truly cared about consumer protection they would never promote the dilution of advocacy through the dual agency laws -- again under the guise of consumer protection. Dual agency is for commission protection, not consumer protection.

And what about the home buyer trapped into an unrepresented position by a skillful listing agent or dual agent? Why don't these laws address that scenario? Where is the consumer protection for the home buyer? It is not evident in these new state laws.

I understand that selling a home is more complicated than booking an airline ticket but a certain percentage of the population probably has the skill set to sell their own home. Many of them may be able to do a better job than the legions of newbie agents flocking to the industry within the last few years who seem to have little training, in my experience.

Here is the a list of lower cost consumer choices I experienced for a recent holiday trip. I booked my flight online for a trip on JetBlue, a lower cost alternative airline. I drove myself to the airport instead getting picked up and I listened to a new alternative radio station that had no DJs and less commercials on the way. I got gas at a self-serve pump and got money from an ATM for my trip. I self-checked my bags and opted for coffee at a take-out spot instead of a sit-down restaurant. What if all of these lower cost options were outlawed?

While reading USA Today on the plane, I saw an article about Charles Schwab, author of How To Be Your Own Stockbroker, that stated that the company bearing his name serves 10% of the American investors. Why can't the real estate industry let a certain percentage of the market 'do-it-yourself', too?

There are many issues in the real estate business that contribute to the

current unrest -- a 'glut' of agents, lack of training, outdated procuring
cause rules, technology-resistant agents, non-compliance with agency
disclosure regulations, ethically-challenged agents, etc. Please maintain
full consumer choice, full disclosure and informed consent!

Pat Rioux

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